

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

VINCENT GREGORY BAISI,

Petitioner,

v.

CIVIL ACTION NO. 3:24-0387

SUPERINTENDENT CARL ALDRIDGE,

Respondent.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted Findings of Fact and recommended that Petitioner's petition for writ of mandamus (ECF No. 5) be dismissed. Petitioner did not file an objection to the proposed findings of fact and recommendation. However, he did file a Memorandum in Support of Habeas Corpus. ECF No. 14. The Court has reviewed the Memorandum and finds that it offers no response to the proposed findings of fact and recommendation. Whether intended by Petitioner as an objection or a supplement to his original petition, the Court concludes that Petitioner fails to demonstrate any basis for federal court intervention in his pending state criminal case.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **ORDERS** that Petitioner's petition for writ of mandamus be **DISMISSED**, consistent with the findings and recommendation.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: September 19, 2024

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE